

Call to Order:

The meeting was called to order at 7:40 pm. Present were Chairman, Paul Salafia, and members, Linn Anderson, Vincent Chiozzi (arrived at 7:45 pm), Selena Goldberg (arrived at 7:55 pm), John McDonnell (arrived at 8:50 pm), and associate member Joan Duff; also present were Director of Planning, Paul Materazzo, Senior Planner Lisa Schwarz, and Planner, Jacki Byerley.

Draft Revisions Signage:

The Board took up the discussion on the preliminary draft of the zoning by-law Section 5.2 Signage. Ms. Anderson gave a quick overview of the proposed changes and noted that the Design Review Board will be sponsoring the warrant article. Ms. Schwarz reviewed the summary of changes since the Board's last meeting on October 28th and comments from the IDR conducted on November 25, 2008. Ann Constantine of the Design Review Board noted there are still changes to be made from comments from David Brown of the Zoning Board of Appeals. The Board discussed the proposed changes; they also questioned what changes are substantive and what signs are allowed today that would not be allowed in the proposed new bylaw. The Board also requested a list by zoning district of what is existing; what is proposed; what is allowed; and what will be prohibited. Ms. Constantine noted that what's being proposed is that more signs are allowed on each building, but they would be smaller in scale. Ms. Schwarz noted that the next step is to finalize the format and highlight the technical changes.

180 Abbot Street:

The Board opened the public hearing on an application by Mike Ristuccia for a Definitive Subdivision Plan located at 180 Abbot Street. Ms. Byerley reviewed her memo to the Board dated November 18, 2008 including the applicant's request to withdraw the Definitive Subdivision Plan received on October 3, 2008. On a motion by Ms. Anderson seconded by Ms. Goldberg the Board voted to allow the applicant's request to withdraw without prejudice the definitive subdivision plan located at 180 Abbot Street. **Vote** Unanimous (4-0)

180 Abbot Street:

The Board opened the public hearings on an application by Mike Ristuccia for a Definitive Subdivision Plan and Special Permit for Earth Movement located at 180 Abbot Street. Chairman Salafia reviewed the meeting procedures including the peer review and IDR process. Bruce Eaton of CEC Engineering representing the applicant gave an overview of the proposed subdivision including the location, lot size, and noted that the wetlands were flagged and approved by Robert Douglas, the Conservation Director. Mr. Eaton also reviewed the utilities, sight distances, and noted that the Homeowners' Association would be responsible for cutting the vegetation in order to maintain those sight distances. Ms. Byerley reviewed her memo to the Board dated November 19, 2008 including comments from the IDR conducted on November 18, 2008. The Board questioned why the applicant withdrew the low impact development application. Ken Bouffard of CEC Engineering representing the applicant noted the low-impact plan did not satisfy Fire safety. Mike Ristuccia noted they prepared the conventional plan to make the turning radii to meet fire safety. The Board questioned design standards and how low-impact developments will affect fire safety. Ms. Byerley noted that to request a low-impact development just for pavement width only is not justified and the withdrawal was also due to all comments from the IDR not just fire safety. Ms. Byerley reviewed her memo to the Board dated November 19, 2008 including comments from the IDR conducted on November 18, 2008 and

180 Abbot Street (cont.):

noted that a maintenance schedule for the maintenance of the sight distances will need to be submitted. Mr. Ristuccia noted that although he is not applying for a low-impact development he is looking into using solar panel and geo-thermo heating for the homes. Attorney Andy Caffery representing an abutter, Mr. Stone, expressed concern with the lot configuration, the safety of the intersection of Porter Rd. and Abbot Street and questioned if they would be cutting vegetation in the wetlands in order to maintain the sight distances. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue the public hearings until January 13, 2009 at 8:15 pm. **Vote** Unanimous (5-0)

Fish Brook Watershed:

The Board took up the discussion on the proposed Amendments to the Watershed Protection Overlay District by the Fish Brook Watershed Advisory Committee. Mr. Zipeto a member of the Fish brook Watershed Advisory Committee gave an overview of the by-law and the proposed changes. The Board questioned what would be impacted by the changes. Mr. Zipeto noted they are revising the bylaw to tie together groundwater, stormwater and watershed protection by-laws with updated federal and state regulations and guidance to tighten uses and activities within 400' of Haggetts Pond and Fish Brook. He noted that Zone A land areas within 400' from Haggetts Pond; Zone B land areas exceeding 400' and extending out to ½ mile from Zone A; and Zone C includes all land with the watershed that are not included in Zones A or B. He noted that there would be a five year review of all the septic systems in the area by the Board of Health. The Board questioned if the homeowners would be responsible within 400' and what if the homeowners could not afford to upgrade their septic systems if they did not pass inspection. The Board also questioned if there is an existing study on the affects within the zone on the effect of the watershed.

340 Salem Street:

The Board opened the public hearings that were continued from the October 28th meeting on an application by Piotr & Dorothy Romanus for a Definitive Subdivision Plan and a Special Permit for Earth Movement located at 340 Salem Street. Ms. Byerley reviewed her memo to the Board dated November 21, 2008. William MacLeod of Andover Consultants, representing the applicant, gave an overview of the proposed project including the looping of the water main and he reviewed how the subdivision complies with the conventional subdivision regulations. Mr. MacLeod also noted that a septic system would be designed. He noted that the Right-of-way layout is the same for both the conventional and low-impact subdivision. Ms Byerley reviewed an e-mail from Susan Stott representing AVIS stating that they do not expect additional traffic from Alison Way if additional land was donated to AVIS and noted AVIS is interested in the land to help protect a vernal pool. Ms. Byerley reviewed a memo from the Fire Prevention Officer dated November 21, 2008 requesting the applicant install an approved residential sprinkler system. Mr. MacLeod noted that the applicant has looked at the cost of a sprinkler system which is approximately \$12,000.00 and would like the Board to consider waiving that requirement. Ms. Janet Bernardo, P.E. of ESS Group, the Peer Consultant reviewed her peer review findings of the Low-Impact development dated November 20, 2008 and Conventional development dated November 21, 2008. She stated that the applicant has met the requirements for both plans. Ms. Bernardo noted that she reviewed the watershed of the entire neighborhood

340 Salem Street (cont.):

and the only impact would be to 340 and 342 Salem Street. Attorney Robert Lavoie, representing the abutters of 328 Salem Street, questioned if DPW was still looking for the sight distances along Salem Street. Ms. Byerley noted that it was submitted in a memo and Public Safety has no problems with the sight distance. Attorney Lavoie also expressed concern that there was no certification on the plan of slopes in excess of 35% and concern with icy conditions in the winter on Salem Street. Mr. MacLeod noted that there is no impervious discharge onto Salem Street and all the lots comply with the lot area requirements. Nicholas Sievers of 332 Salem Street questioned whether the Conservation Commission was reviewing the conventional subdivision along with the driveway (low impact) plan. Ms. Anderson noted the Conservation Commission does not have the same requirements as the Planning Board and does not do a comparison of plans. Chairman Salafia noted that the rate of runoff cannot increase due to a development. Attorney Lavoie questioned if the Board would propose conditions for a permanent limit of clearing if they approved and granted waivers for the low-impact concept. On a motion by Ms. Anderson and seconded by Mr. McDonnell the Board voted to continue the public hearings on an application by Piotr & Dorothy Romanus for a Definitive Subdivision Plan and a Special Permit for Earth Movement located at 340 Salem Street until December 9, 2008 at 8:45 p.m. **Vote** Unanimous (5-0)

Aisling Estates:

The Board took up the discussion on the evolution and concept plan for Aisling Estates. Dan Koravos of DK Engineering Associates, Inc. representing the applicant noted that they took into consideration comments from the neighbors of the previous plan. The developer had considered three alternative developments for the site: a multi-family cluster development, a conventional subdivision plan and a single family cluster development. Mr. Koravos noted that the applicant would like to pursue the single-family cluster subdivision and reviewed the benefits of that plan. The Board questioned if the all the lots can comply with a conventional subdivision requirements. Attorney Mark Johnson representing the applicant noted that a cluster development has different standards than a low-impact development. An abutter, Paul Floyd, questioned if the green/open space areas can never be touched except to clean up debris. Mr. Koravos noted that he was correct open space/green areas cannot be touched.

Andover Country Club:

On a motion by Ms. Anderson seconded by Mr. McDonnell, the Board voted to approve the reduction of the Performance Guarantee to secure the proper construction and completion of the services and ways to Andover Country Club Section 5 which includes Andover Country Club Lane, lots 1, 22, 23, 50-54 & 109-124; Cormiers Ways lots 36-49 and Trevino Circle, lots 24-36 to \$128,700.00 as recommended by the Department of Public Works in a memo dated November 13, 2008. **Vote** Unanimous (5-0)

Minutes:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to approve the minutes for October 28, 2008. **Vote** Unanimous (5-0)

Adjournment: The Board voted to adjourn the meeting at 11:05 p.m.